IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

HEARTLAND AUTOMOTIVE :

ENTERPRISES, INC.,

:

Plaintiff,

.

v. : Case No. 5:07-CV-37 (HL)

UNITED STATES OF AMERICA.

by and through the

COMMISSIONER OF THE

INTERNAL REVENUE SERVICE,

:

Defendant. :

AMENDED JUDGMENT

The Judgment (Doc. 39) entered in this case on May 28, 2009, is amended as follows:

Pursuant to this Court's Order dated May 27, 2009, having granted Defendant's Motion for Summary Judgment, Judgment is entered in favor of Defendant and against Plaintiff. The terms of the judgment are as follows:

- The Plaintiff shall take nothing on its claims, and those claims are dismissed with prejudice;
- 2. The Defendant shall recover from the Plaintiff on its counterclaim the sum of \$110,327.21, consisting of \$65,829.01 in assessed penalties and of \$44,498.20 in accrued interest and penalties as of June 15, 2009, plus accruals of interest, if any, pursuant to 26

- U.S.C. Sections 6602 and 6621, from June 15, 2009, to the date that judgment is entered.
- This judgment shall bear interest at the rate set forth at 28 U.S.C.
 Section 1961(c)(1).
- 4. the Defendant shall recover its costs of this action.

Executed this the 13th day of January, 2010.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

jch